



08/14/01

8-15-01

A

Anticipated Classification
of this Application:
Class 435 Subclass _____

Prior Application:
Examiner M. Brannock
Group Art Unit 1646

Attorney's
Docket
No. 35997-A3ZYA/JPW/ADM

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231



S I R:

August 14, 2001

This is a request for filing a X CONTINUATION

____ DIVISIONAL _____ CONTINUATION-IN-PART application under

X 37 C.F.R. §1.53(b) _____ 37 C.F.R. §1.53(d)¹, of pending prior applicationSerial No. 09/145,864 filed on September 2, 1998 ofHung-Teh Kao, Paul R. Hartig and Theresa Brancheh _____ for
Inventor(s)DNA ENCODING A HUMAN SEROTONIN (5-HT₂) RECEPTOR AND USES THEREOF

Title of Invention

X Enclosed is a copy of the prior application, as originally
filed and an affidavit or declaration verifying it as a
true copy.

____ A verified statement to establish small entity status under
37 C.F.R. §1.9 and 1.27

____ is enclosed.

____ was filed in the prior application and such status
is still proper and desired (37 C.F.R. §1.28(a)).

X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY		SMALL ENTITY
Total Claims	7-20	=	0	X	9	18	= \$	\$ 0
Independent Claims	3 - 3	=	0	X	40	80	= \$	\$ 0
Multiple Dependent Claims Presented: ___ Yes <u>X</u> No					135	270	= \$	\$ 0
If the difference in Col. 1 is less than zero, enter "0" in					BASIC FEE		\$355	\$ 710
					TOTAL FEE		\$	\$ 710

¹ Filing an application pursuant to this section expressly abandons the
parent application.

Page 2

- X Any additional filing fees required under 37 C.F.R. §1.16.

- X Any patent application processing fees under
37 C.F.R. §1.17.

The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).

- X Three copies of this sheet are enclosed.

- X A check in the amount of \$ 710.00 is enclosed.

- Cancel claims _____.

- Amend the specification by inserting before the first line the sentence: --This is a ____ continuation ____ division of application Serial No. _____, filed _____.--

- X 10 Sheet(s) of informal X formal drawing(s) is/
are enclosed.

- 10 — Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

11. _____ Priority of application No. _____ filed on _____
_____ in _____
_____ (country)
is claimed under 37 U.S.C. §119.

The certified copy of the priority application
has been filed in prior application Serial No. _____,
filed _____.

12. X The prior application is assigned of record to
Synaptic Pharmaceutical Corporation

13. X A preliminary amendment and Information Disclosure Statement including PTO Form 1449 are enclosed.

14. X The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Thomas F. Moran (Reg. No. 16,579); Ivan S. Karukov (Reg. No. 25,161); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Thomas G. Carulli (Reg. No. 30,616); Robert D. Katz (Reg. No. 30,141); Peter A. Luccarelli, Jr. (Reg. No. 29,750); Peter J. Phillips (Reg. No. 29,691).

Hung-Teh Kao, et al.
Serial No.: Not Yet Known
Filed: Herewith

Cont/Div./FWC
Page 3

- (a) X The power appears in the original papers in the prior application.
- (b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:
(May only be completed by applicant, or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

 X Also enclosed Express Mail Certificate of Mailing No.

EL525962900US dated August 14, 2001, duplicate set of figures

 X I hereby verify that the attached papers are a true copy of prior application Serial No. 09/145,864 as originally filed on September 2, 1998, which in turn was ultimately a copy of prior application Serial No. 07/429,832 filed October 31, 1989

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

August 14, 2001

Date

Signature Alan J. Morrison Reg. No. 37,399

 INVENTOR(S)
 ASSIGNEE OF COMPLETE INTEREST
 ATTORNEY OR AGENT OF RECORD
 XX FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

09929313-0840
T6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hung-Teh Kao, et al.
U.S. Serial No. : Not Yet Known
Filed : Herewith
For : DNA ENCODING A HUMAN SEROTONIN (5-HT₂)
RECEPTOR AND USES THEREOF

1185 Ave of the Americas
New York, New York 10036
August 14, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: Box Patent Application

Sir:


**EXPRESS MAIL CERTIFICATE OF MAILING
FOR ABOVE-IDENTIFIED APPLICATION**

"Express Mail" Mailing Label Number: EL525962900US
Date of deposit: August 14, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, Attn. Box Patent Application.


Printed Name Samuel Khach

Respectfully submitted,


Alan J. Morrison
Registration No. 37,399
Attorney for Applicant(s)
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400